

UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA
Criminal No. 21-CR-173 (PJS/DTS)

United States of America,

Plaintiff,

MOTION TO EXCLUDE TIME AND
STATEMENT OF FACTS IN SUPPORT OF
EXCLUSION OF TIME UNDER THE
SPEEDY TRIAL ACT

v.

Anton Joseph Lazzaro,

Defendant.

Defendant Anton Joseph Lazzaro, through his counsel, Daniel L. Gerdtz, Esq., hereby moves the Court, pursuant to Section 3161(h)(7)(A) of Title 18 of the United States Code, to exclude the period of time occasioned by the setting of a 20 March 2023 trial date in the above-captioned matter from the Speedy Trial Act computations in this case.

This case involves serious criminal allegations for which Mr. Lazzaro faces considerable penalties, including long mandatory minimum sentences. Undersigned counsel was not retained on this matter until long after it commenced, and has spent most of the time since then focused on pretrial motions. Considerable time will be needed properly to prepare for trial in this matter, and the proposed 20 March 2023 trial date will provide the *minimum* time necessary to accomplish that task.

Considering the above, the interests of justice served by the proposed trial date, and by the exclusion of time from the speedy trial act calculations, clearly outweigh the best interests of the public and the Defendant in a speedier trial.

Dated: 29 November 2022

Respectfully submitted,

DANIEL L. GERDTS, LAWYER

/s Daniel L. Gerdtz

Daniel L. Gerdtz (#207329)
331 Second Avenue South, Suite 705
Minneapolis, Minnesota 55401
612-800-5086

STATEMENT OF DEFENDANT

I, Anton Joseph Lazzaro, the defendant in this case, have personally reviewed the attached motion. I agree that the proposed trial date is appropriate, and for the reasons set forth in the motion I also agree that the Court is justified in finding that the interests of justice support the exclusion of the period of time from now until the newly scheduled trial date pursuant to 18 U.S.C. § 3161(h)(7)(A), and that those interests also outweigh my right and the right of the public to a more speedy trial.

I have discussed this matter with my attorney, and agree with this request, with full knowledge of my rights under the Speedy Trial Act.

Dated: 29 November 2022

A handwritten signature in black ink, appearing to read 'Anton Lazzaro', written over a horizontal line.

Anton Joseph Lazzaro, Defendant